

RESOLUTION NO.

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
JOSE DECLARING ITS INTENTION TO ESTABLISH
MAINTENANCE DISTRICT 24 (THE ALAMEDA)**

WHEREAS, staff of the City of San José ("City"), in coordination with The Alameda Steering Committee, have requested the City to form a maintenance district to provide maintenance services for certain public improvements in the area that differ from and exceed City standards for such improvements; and

WHEREAS, pursuant to Chapter 14.15 of Title 14 of the San José Municipal Code ("Municipal Code"), this Council is the legislative body empowered with the authority to establish the maintenance district for the maintenance of certain improvements that differ from and exceed City standards for such improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

1. This Council proposes to conduct proceedings to establish a maintenance district pursuant to the Municipal Code in order to levy assessments from property owners within the district to fund maintenance services for improvements that differ from and exceed City standards for such improvements.
2. The name of the district proposed to be adopted is "Maintenance District 24 (The Alameda) (hereafter "MD24").
3. The boundaries of proposed MD 24 are as shown on the map attached hereto as Exhibit "A" and on file with the City Clerk of the City, which boundaries are hereby approved.

4. The type of public improvements proposed to be maintained by MD24 and the proposed maintenance to be performed shall consist of those items listed on Exhibit "B" hereto and by this reference incorporated herein.
5. The Director of Public Works is hereby directed to prepare and file with the City Clerk, an Engineer's Report in the form specified in the Municipal Code.

ADOPTED this _____ day of _____, 2011, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

CHUCK REED
Mayor

ATTEST:

DENNIS D. HAWKINS, CMC
City Clerk

EXHIBIT A

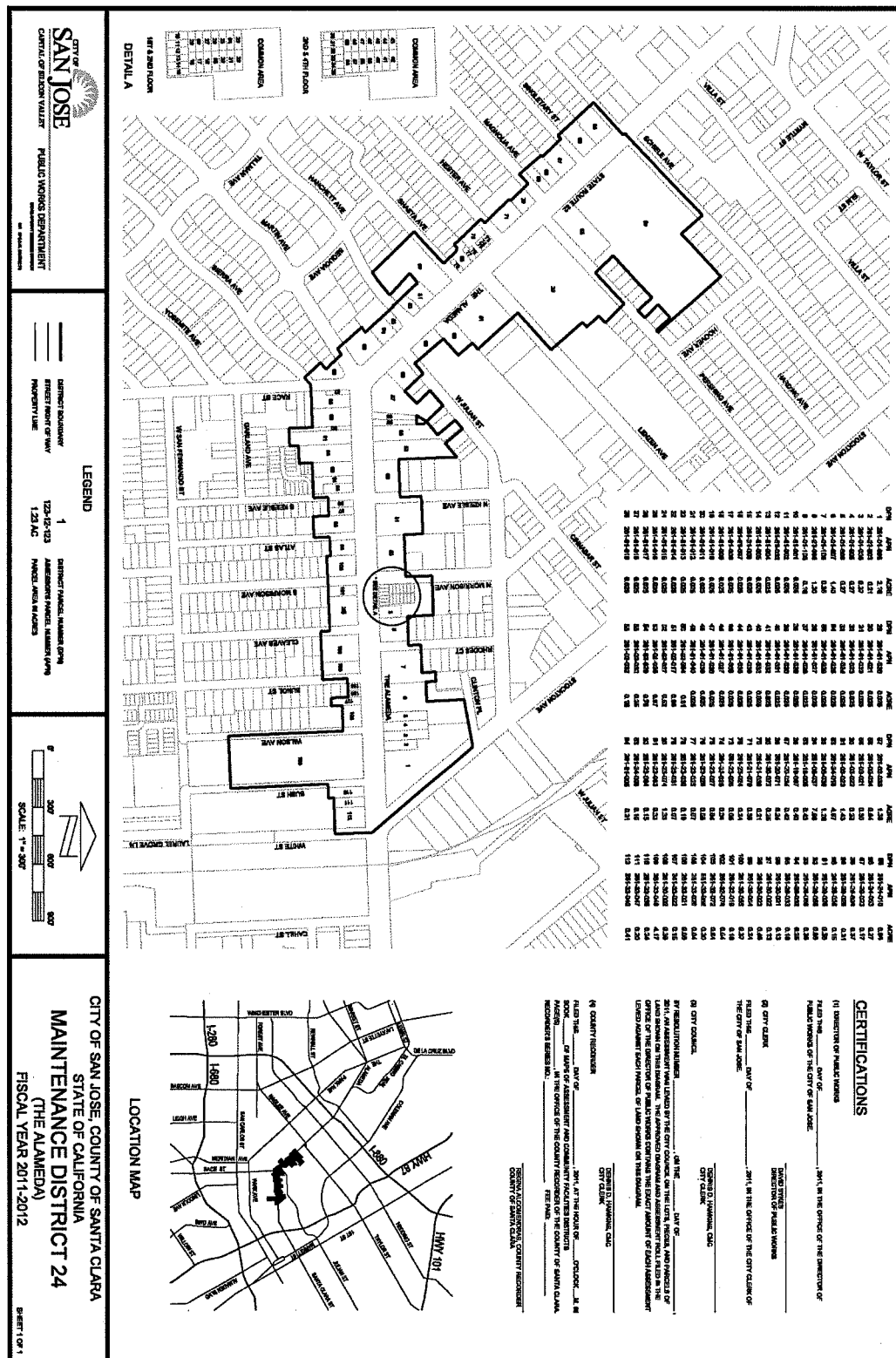


EXHIBIT B

I. IMPROVEMENTS:

The areas proposed to be maintained include: The Alameda landscaped median islands; landscaped sidewalk bulb-outs; planters; street trees along The Alameda; special pedestrian crosswalks; benches and signage; decorative street poles, pedestrian and special feature lighting. Improvements may include, but are not limited to: ornamental plantings including trees, shrubs, vines, groundcover, flowers and lawns; irrigation, drainage, and lighting systems; and decorative paving, curbing, maintenance bands, rocks, mulches, seats, walls, fences, signs, and statuary. Specifically excluded are: sidewalk, fence, or soundwall replacement or major repairs.

II. PROPOSED MAINTENANCE:

Maintenance includes the necessary servicing, repairs, replacements, construction of additional facilities, equipment, supplies, fuel, water, power, electric current, other utilities, care, supervision, inspection, administration, and any and all other items necessary for the safe and proper maintenance and operation of the improvements. Street tree maintenance is limited to structural pruning and replacements of dead or missing trees.